

No. 3826-4L-75/12888.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s Raunag Malleables, Faridabad.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT,  
HARYANA, ROHTAK

Reference No. 129 of 1972

between

■ SHRI MADAN LAL AND THE MANAGEMENT OF M/S RAUNAG MALLEABLES,  
FARIDABAD

Present.—

Shri Darshan Singh, for the workman.

Shri J. S. Saroha, for the management.

#### AWARD

Shri Madan Lal, workman, concerned was in the service of M/s Raunag Malleables, Faridabad. His services were terminated by the management on 18th November, 1971. He demanded reinstatement alleging that the termination of his services had been brought about illegally and without justification. The management did not accept this demand. Conciliation proceedings also failed.

On receipt of the failure report from the Conciliation Officer, the dispute was referred for adjudication to this court, —vide order No. ID/FD/762-B-72/11370-74 dated 3rd April, 1972 of the Governor of Haryana, in exercise of the powers conferred by clause (c) of sub-section (I) of section 10 of the Industrial Disputes Act, 1947, with the following term of reference: —

“Whether the termination of services of Shri Madan Lal was justified and in order? If not, to what relief is he entitled?”

The parties put in their respective pleadings giving rise to the following issues: —

- (1) Whether Shri Madan Lal, concerned workman had himself abandoned service? If so, with what effect?
- (2) If issue No. 1 is not proved whether the termination of services of Shri Madan Lal was justified and in order? If not, to what relief is he entitled?

It is however, not necessary to go into the issues involved and the merits of the case as an amicable settlement has been arrived at between the parties as per the statement of Shri J. S. Saroha authorised representative of the management. He has sworn testimony to the fact that Shri Madan Lal, workman concerned had approached the management for the settlement of the dispute and after some discussions the settlement was arrived at and he received Rs. 1,050 in full and final settlement of his entire claims against the management giving up his right of re-employment or reinstatement. According to him, the receipt of payment of Rs. 1,050 is signed by Shri Madan Lal and attested by a Union Leader Shri Kundan Lal, copy whereof has been placed on record as Exhibit M. 1. He has further proved the application Exhibit M. 2 addressed to the court which is signed by the workman concerned and witnessed by 3 other persons including the said Union Leader Shri Kundan Lal wherein also it has been admitted that Shri Madan Lal has received payment of Rs. 1,050 in full and final settlement, of his entire claims against the management giving up his right of reinstatement and re-employment. Shri J. S. Saroha authorised representative of the management has also signed this application Shri Darshan Singh, who represents the workman concerned has no instructions from him to refute the above plea of settlement raised by the management and to proceed with the reference.

In view of the above, I am satisfied that Shri Madan Lal, workman concerned has really settled his dispute with the management and received payment of Rs. 1,050 in full and final settlement of his entire claims including the right of reinstatement or re-employment and as such he is not entitled to any other relief in the present reference. The award is made accordingly but there would be no order as to costs.

Dated 25th March, 1975.

O. P. SHARMA,  
Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

No. 809, dated 7th April, 1975.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,  
Presiding Officer,  
Labour Court, Haryana,  
Rohtak.